

Message Text

UNCLASSIFIED

PAGE 01 STATE 205083

72

ORIGIN IO-14

INFO OCT-01 ISO-00 AF-10 ARA-16 EA-11 EUR-25 NEA-10 RSC-01

AID-20 OIC-04 CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03

NSAE-00 NSC-10 PA-04 PRS-01 SPC-03 SS-20 USIA-15

ACDA-19 /207 R

DRAFTED BY IO/CMD;MLGREENE:BGR

APPROVED BY IO/CMD:JWMCDONALD, JR.

L/UNA:JWILLIS

----- 121714

P 162145Z OCT 73

FM SECSTATE WASHDC

TO USMISSION USUN NEW YORK PRIORITY

UNCLAS STATE 205083

E.O. 11652: N/A

TAGS: ECOSOC, UNGA

SUBJECT: RESUMED 55TH ECOSOC: PERMANENT SOVEREIGNTY
OVER NATURAL RESOURCES (ITEM 6)

ALTHOUGH DOCUMENT E/5425 IS NOW AVAILABLE AT VERY LAST
MINUTE, POSITION PAPER UNDER REFERENCE STILL VALID. IF
APPROPRIATE, YOU SHOULD EMPHASIZE FIRST POSITION, I.E.,
IMPOSSIBILITY TO DISCUSS SUCH COMPLEX DOCUMENTATION
WITHOUT TIME TO STUDY IT. IF SOME GENERAL COMMENTS ON
E/5425 SEEM APPROPRIATE, YOU MAY DRAW ON FOLLOWING:

1. DOCUMENT "DOES NOT PURPORT TO BE COMPREHENSIVE"
(PAGE 4) AND THEREFORE WE CANNOT CONSIDER IT EITHER FULLY
USEFUL STATEMENT ON SUBJECT OR FULFILLING REQUIREMENT FOR
STUDY OF "POLITICAL, ECONOMIC, SOCIAL AND LEGAL ASPECTS"
OF PERMANENT SOVEREIGNTY. ANY DOCUMENT ON THIS SUBJECT
BASED ON COMMENTS BY ONLY 20 COUNTRIES, ALMOST ALL OF WHICH
ARE DEVELOPING NATIONS, IS OF NECESSITY UNBALANCED STATE-
MENT.

UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 205083

2. GIVEN BASIS ON WHICH E/5425 PREPARED, ONE-SIDED PRESENTATION OF MATTERS RELATED TO FOREIGN INVESTMENT AND MULTINATIONAL CORPORATIONS WAS PERHAPS INEVITABLE. RESULTS, FOR EXAMPLE, INCLUDE QUESTIONABLE COMMENTS ABOUT INABILITY OF DEVELOPING NATIONS TO "ASSERT THEIR RIGHTS FULLY BECAUSE OF THEIR RELATIVELY WEAK BARGAINING POSITION IN DEALING WITH FOREIGN INVESTORS" (PAGE 5) AND CONDESCENDING REFERENCE

TO "CERTAIN ADVANTAGES" OF MULTINATIONAL CORPORATION ACTIVITIES, EVEN THOUGH THERE ALSO "IMPORTANT DIS-ADVANTAGES FOR THE HOST COUNTRY" (PAGE 8). AMONG THE LISTED DISADVANTAGES ARE "A GLOBAL PROFIT MAXIMIZATION STRATEGY", INFLUENCING LEVELS OF PRODUCTION, AND SETTING PRICES (PAGE 9).

3. THE SECTION ON RESOURCES OF THE SEA RUNS COUNTER TO OUR LONG-HELD OPINION THAT THIS SUBJECT SHOULD BE DISCUSSED IN LAW OF SEA CONFERENCE.

4. STATEMENT ON PAGE 13 ABOUT "INHERENT" RIGHT OF NATIONALIZATION HAS NO BALANCING REFERENCE TO INTERNATIONAL LAW CRITERION FOR COMPENSATION. WHEN COMPENSATION IS FINALLY MENTIONED (BOTTOM OF PAGE 15) INSUPPORTABLE DOUBTS ARE RAISED ABOUT WHETHER COMPENSATION ACTUALLY REQUIRED.

5. IF YOU BELIEVE FULLER DISCUSSION OF E/5425 WILL BE NECESSARY LATER, PLEASE INFORM US SO WE CAN PREPARE MORE DETAILED COMMENTS. KISSINGER

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 16 OCT 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973STATE205083
Document Source: CORE
Document Unique ID: 00
Drafter: BGR
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: n/a
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19731028/aaaaauqt.tel
Line Count: 90
Locator: TEXT ON-LINE
Office: ORIGIN IO
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: shawdg
Review Comment: n/a
Review Content Flags:
Review Date: 06 DEC 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <06-Dec-2001 by bryansd0>; APPROVED <06 MAR 2002 by shawdg>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: RESUMED 55TH ECOSOC: PERMANENT SOVEREIGNTY OVER NATURAL RESOURCES (ITEM 6)
TAGS: OCON, EGEN, ECOSOC, UNGA
To: USUN NEW YORK
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005